

## § 9.2.5 ESTABLISHMENT AND INTERPRETATION OF ZONES AND CHARACTER AREAS

**(A) PURPOSE AND INTENT** The purpose of this Section is to establish and interpret the zones, uses, development regulations, and property rights associated with each piece of real property in the Village.

**(B) ZONES.** In order to carry out the provisions of this Section, the area within the jurisdiction of the Village is hereby divided into zones, which shall be known as:

- A-1 Agricultural/Residential Zone (1 dwelling unit/one acre);
- A-2 Agricultural/Residential Zone (1 dwelling unit/two acres);
- A-3 Agricultural/Residential Zone (1 dwelling unit/three acres);
- R-2 Semi-Rural Residential Zone (1 dwelling unit/one half [.5] acre);
- R-3 Semi-Rural Residential Zone (1 dwelling unit/one third [.333] acre);
- C-1 Retail Commercial Zone (1 dwelling unit/one third [.333] acre residential) (6 common wall [condominium, townhouse] dwellings/acre);
- GD Gateway District Zone Mixed use residential/commercial zone (residential, commercial and mixed use allowable) (1 dwelling unit/one twelfth [.0833] acre);
- VC Village Center Zone (1 dwelling unit/one third [.333] acre)  
V-C Project Area (dwelling units established by Economic Development Plan);
- SU-1 Special Use Zone (zones formerly approved within the Village, but no longer available to be granted as a zone).

**(C) ZONE MAP.** The zones and boundaries of zones are shown on the official Zone Map dated 2/23/12 incorporated into this Section. The Director of Planning and Zoning shall maintain the Zone Map and copies will be made available to the public for viewing and purchase for a reasonable price. The Board must interpret the Zone Map when the Planning Director is uncertain as to the exact boundary of a zone shown on the Zone Map. All notations and references shown on the Zone Map are as much a part of this Section as though specifically described herein.

**(1)** The zone boundaries are streets, ditches, or alleys unless otherwise shown, and where the designation on the Zone Map indicates that the various zones are bounded by a street, ditch or alley line, such street, ditch, or alley line shall be the boundary line.

**(2)** Where the property has been divided into blocks, the zone boundaries shall be the block lines, and where the designations on the Zone Map are bounded by lot lines, said lot lines shall be the boundary of the zone.

**(3)** In the event any street, alley, ditch, or other public way forming the boundary of a zone is vacated, the new zone boundary shall be the centerline of said vacated street, alley, ditch, or other public way.

**(D) MULTIPLE ZONED LOT.** For property that is contiguous and abuts Fourth Street and is zoned commercial (C-1) and residential (A-1, R-2, R-3) the depth of the commercial zone shall be limited to three hundred feet (300') unless otherwise specified from the property line that abuts Fourth Street.



**(E) CHARACTER AREAS.** The Character Areas, as identified in the 2020 Master Plan, were designated so as to create areas that have some common elements for purposes of future development, construction or other changes. However, within each Character Area are many times diverse developments or uses which must be taken into account in any Village decisions. In administering the Zoning, Subdivision and other Code Sections, the diverse developments or uses within any given Character Area will be reviewed and considered in those decisions. However, in no event shall these reviews be deemed a change or modification of the existing zoning on any property. Because of the diversity contained within each Character Area, in many cases it will be deemed necessary to review the area immediately surrounding the property affected by any application as well as the entire Character Area.

**(F) SEVERABILITY.** If any section, subsection, paragraph, sentence, clause, phrase, or part hereof is for any reason declared unconstitutional or invalid, the validity of the remaining portions hereof shall not be affected since it is the expressed intent of the Board of Trustees to pass each section, subsection, paragraph, clause, phrase and every part thereof separately and independently of every other part.

